

**THE HONOURABLE SRI JUSTICE
V.ESWARAIAH**

W.P. No. 21320 of 2007

Date:30-11-2007

Between:

Ponnaganti Brahmaiah and four others

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Petitioners

AND

The Govt. of A.P. rep. by its Principal Secretary to Revenue Dept.,Hyderabad and two others

.. Respondents

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ORDER:

The petitioners seek a writ of mandamus declaring the action of the respondents in insisting them to vacate from their respective sites covered by Sy.No.27 of Pelluru village, as illegal and arbitrary and consequently direct the respondents not to dispossess them from their respective sites.

It is the case of the petitioners that they have purchased lands an extent of 242 square yards, 242 square yards, 726 square yards, 355 square yards and 545.7/9 square yards respectively in Sy.No.27 situated at Pellur village vide registered sale deeds in the year 2007. While so, the third respondent/Tahsildar came to the site on 24.09.2007 and insisted the petitioners to vacate the said land alleging that the said land is an assigned land and the petitioners have no right to continue the same. It is further stated that no proceedings have been initiated under the A.P. Assigned Lands (Prohibition of Transfers) Act and therefore, the action of the respondents in directing the petitioners to vacate the said site is illegal.

Admittedly, the petitioners have not made any representation about their grievance alleging that the third respondent is taking steps to evict them without following due process of law.

I am of the opinion that without there being any representation or request by the petitioners complaining their grievance, they cannot seek to issue a writ of mandamus. Hence, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed with liberty to take

appropriate steps in the matter by making a representation before the respondents. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:30.11.2007

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